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Atty Dkt No. 072121-0139

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PATENT APPLICATION

Serial No.: 09/943,382



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Paul A. Renhowe *et al.*

Title: HETEROCYCLIC DERIVATIVES OF  
QUINOLINONE BENZIMIDAZOLES

Appl. No.: 09/943,382

Filing Date: August 30, 2001

Examiner: Rita J. Desai

Art Unit: 1625

<p><b>CERTIFICATE OF FIRST CLASS MAIL</b></p> <p>I hereby certify that this correspondence is being sent via first class U.S. mail to MAIL STOP AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.</p> <p><b>Bernard P. Friedrichsen</b> (Printed Name)</p> <p><i>Bernard P. Friedrichsen</i> (Signature)</p> <p><b>September 11, 2003</b> (Date of Deposit)</p>
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**RETRANSMITTAL OF DOCUMENTS FILED AUGUST 4, 2003**

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner:

A final Office Action was mailed to Applicants on June 2, 2003, an Interview was conducted with the Examiner and her supervisor on July 31, 2003; and a Request for Reconsideration under 37 C.F.R. § 1.116 summarizing the Interview and responding to the final Office Action was filed by Applicants on Monday, August 4, 2003. The Request for Reconsideration was filed on August 4, 2003, using the Express Mail Procedure in accordance with 37 C.F.R. § 1.10 along with an Express Mail Certificate and a return receipt postcard. The documents were mailed using "Express Mail Post Office to Addressee" to the United States Patent and Trademark Office using the above address on August 4, 2003. A copy of each of the following documents is enclosed:

1. A copy of the OIPE-stamped return receipt postcard showing the filing date of August 4, 2003;
2. A copy of the Express Mail Receipt;

3. A copy of the Express Mail Certificate filed on August 4, 2003; and
4. A copy of the 12 page Request for Reconsideration Under 37 C.F.R. § 1.116 that was filed on August 4, 2003.

The shortened three-month statutory period for response to the Office Action expired on September 2, 2003, and the period for response within the Advisory period expired on August 2, 2003. Because August 2, 2003, fell on a Saturday and Monday, August 4, 2003, was the next business day, the response was timely filed within the Advisory period using the Express Mail Procedure.

Applicants have checked the PAIR system at the United States Patent and Trademark Office and have not seen any indication that the Request for Reconsideration filed on August 4, 2003, was received by the United States Patent and Trademark Office and entered into the system. However, Applicants have received the enclosed OIPE-stamped return receipt postcard indicating that the Patent and Trademark Office has indeed received the filed Request for Reconsideration and Express Mail Certificate.

Applicants hereby transmit the documents noted above to make sure that Examiner Desai has the information she needs to prepare an Advisory Action or Notice of Allowance for this case. Applicants are awaiting the Examiner's action in this After Final period of prosecution so that they may respond appropriately and in a timely manner.

Applicants do not believe that any fee is due for this filing. However, should any fee(s) be due, the Commissioner is hereby authorized, under 37 CFR §§ 1.16-1.17, to charge any fee that may be due to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. Duplicates of page 1 and the signature page of this document are enclosed for such purpose.

Serial No.: 09/943,382

Atty Dkt No. 072121-0139  
16325.002

Respectfully submitted,

Date September 11, 2003

By 

FOLEY & LARDNER

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Bernard P. Friedrichsen

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Paul A. Renhowe *et al.*

Serial No.: 09/943,382

Filed: August 30, 2001

Title: **HETEROCYCLIC DERIVATIVES OF QUINOLINONE  
BENZIMIDAZOLES**

Docket No.: 072121:0139

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

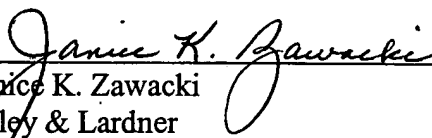
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Date of Deposit: August 4, 2003

I hereby certify that these attached documents

- \* Request for Reconsideration Under 37 C.F.R. § 1.116 (12 pages)
- \* Duplicate of page 1 and signature page
- \* Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Enclosed for filing please find the above-referenced documents. Please indicate receipt of these documents by returning the attached postcard with the official Patent and Trademark Office receipt stamped thereon.

  
Janice K. Zawacki  
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Serial No.: 09/943,382

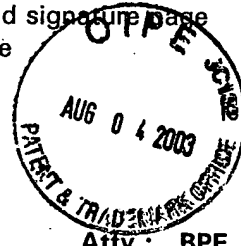
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Atty.: BPF

*Sjd*